

**From:** Smith, Bonnie [smith.bonnie@epa.gov]  
**Sent:** 5/19/2016 5:05:40 PM  
**To:** Melvin, Karen [Melvin.Karen@epa.gov]; rogers, rick [rogers.rick@epa.gov]; Reinhart, Roger [Reinhart.Roger@epa.gov]  
**CC:** schaffer, joan [schaffer.joan@epa.gov]; Sternberg, David [Sternberg.David@epa.gov]  
**Subject:** draft response about EPA and the DuPont C8 consent agreement - for your review

Karen, Rick and Roger,

In anticipation of questions we may receive about the DuPont C8 consent agreement, we'd like to have a prepared response we can share with HQ when we forward the inquiry. We don't know what the questions will be, but it seems likely that we'll be asked about EPA's plans now that the PFOA Health Advisory is established.

Please let me know if this is good as is, or if there are additional facts, changes or updates that are needed. Feel free to share with whomever you think needs to comment. Or, we can put this on hold until you get questions. Thanks.

**Draft response to go to HQ for their consideration if we get a media inquiry:**

## Ex. 5 AC/DP

### **Background:**

In 2002, DuPont signed a consent agreement with EPA to provide alternative drinking water or treatment for public or private water users in communities surrounding its Washington Works facility near Parkersburg, W.Va. if water supplies show levels of PFOA, or C8, above the action level of 150 parts per billion.

In a 2006 consent order that replaced the 2002 agreement, after science on health effects of PFOA evolved, DuPont agreed to provide ~~ing~~ drinking water to public or private water users if PFOA was detected in drinking water at EPA's action level for -PFOA at or above 0.50 ppb. The 0.50 ppb action level replaced the 150 ppb threshold established under a March 2002 consent order.

In 2009, EPA entered into a third agreement with DuPont that replaced the 2006 order and lowered the allowable concentration of PFOA in drinking water from 0.50 ppb to .40 ppb in communities near the facility. The provisional health advisory for PFOA was based on available evidence at that time.

EPA has been researching and evaluating the health risks to establish Health Advisory levels for PFOA and PFOS, that will replace the pHAL. On May 19, in an effort to provide Americans including the most sensitive populations with a margin of protection from a lifetime of exposure to PFOA and PFOS from drinking water, EPA announced new health advisory levels at 70 parts per trillion.

- bonnie

## **INTERNAL – DELIVERATIVE - ENFORCEMENT CONFIDENTIAL**

### **Background:**

EPA Region 3 has issued two press announcements – 2002 and 2006 - and in 2009 EPA Region 5 issued a third announcement:

<https://yosemite.epa.gov/opa/admpress.nsf/e51aa292bac25b0b85257359003d925f/35ab2180c4ed47698525757700575dc2!OpenDocument&Highlight=0,parkersburg>

<https://yosemite.epa.gov/opa/admpress.nsf/e51aa292bac25b0b85257359003d925f/d71a299a96058ad58525722d00542655!OpenDocument&Highlight=0,parkersburg>

<https://yosemite.epa.gov/opa/admpress.nsf/e51aa292bac25b0b85257359003d925f/bcfe951008539d2a852570d60070fce9!OpenDocument&Highlight=0,parkersburg>

**Bonnie Smith, Press Officer**

U.S. Environmental Protection Agency, Mid-Atlantic Region

Email: [bonnie.smith@epa.gov](mailto:bonnie.smith@epa.gov)

Phone: 215.814.5543